

PROSECUTION IN INSLEY TRIAL IS NOW ABOUT FINISHED

Man Accused of Killing His Brother-in-Law Will Be Placed on Stand, It Is Said, to Tell His Story.

THE FACTS ABOUT TRAGEDY ARE SOUGHT

Witnesses Today Told of Circumstantial Evidence Concerning the Finding of the Dead Man's Body in Shop.

In all probability the Insley trial will be concluded not later than tomorrow, with the possible exception of the verdict. This afternoon the prosecution had practically finished its evidence, and the defense is said to have only a few witnesses. It seems likely that unless the arguments of counsel are very long, the case will be in the hands of the jury tomorrow. Both sides are introducing more evidence than had been expected. Up to 2 o'clock this afternoon the prosecution had introduced seventeen witnesses. The defense is known to have planned to introduce three, but developments this afternoon led to the calling of several more.

William Higgins, father of the dead man, was on the stand at the opening of court this afternoon. He swore that Insley was a good shot, and that he had visited him the week before last Christmas, at his home in Trinidad, the occasion being a family reunion. He testified that while there he, his son and Insley went on a hunting trip and after firing nearly 100 shots were able to shoot less than 20 birds.

Higgins also swore that Mrs. Insley called Insley "son" when in the family and "Mr. Insley" when company was present. This is thought to have important significance when taken into consideration with the statements of a former witness who swore that a woman jumped up and down in the rear of the store and called "Oh, papa, don't," a few minutes after the firing of a shot.

Mrs. Secundina Silva was called to the stand and testified that John A. Higgins roomed at a house run by her on South First street and that his sister, Mrs. Insley, had called at the house for her brother on one occasion at least, in the evening. Adelaide Sanchez, a messenger boy of 14 years of age, testified that he had carried a note from Insley to Higgins about a month before the alleged shooting. On cross-examination he was unable to say exactly how long before it was he had carried the note, and was unable to say when he began to work as a messenger and when he left the company's employ. The defense will call to court the records of the Postal company to show when the message was delivered.

An old hat belonging to Higgins was identified by his father and offered in evidence by the prosecution. The hat was a straw hat, but evidence was not offered at that time to show Higgins wore it when killed.

Late this afternoon the prosecution recalled Fred Heyn to the stand to swear to the picture taken by Mr. Walton, and to show the jury by means of various articles in the picture just where the body of Higgins had lain.

The witnesses examined at the morning session today and at the night session Saturday included Fred Heyn, deputy sheriff; Dr. Frank Patrick O'Grady and others. Mr. Heyn, who arrested Insley, swore to the fact that he had seen Insley after the affair. He also swore to the presence of the body of Higgins on the floor of Insley's store on Gold avenue, and testified to its condition.

Following Mr. Heyn, Dr. C. A. Frank, who took charge of the remains soon after death, testified to taking them, and as to the condition of the body. He also swore to the results of the autopsy performed by him.

Put O'Grady swore to having examined the gun said to have been used, which he was the first to see, and his evidence regarding its fouled condition was borne out by the evidence of Pablo Lujan, who saw O'Grady and William Jordan, saw it again the next day.

Miss Nellie Brewer testified to the agitated actions of Mrs. Insley, whom she saw in O'Grady's drug store soon after the affair is alleged to have taken place. William Mettinger, who called at the store on business shortly after Higgins' death, testified as to the condition of the store. His evidence was supported by Will H. Higgins, who accompanied him.

W. H. Higgins testified as to the photograph taken by him of the store soon after the shooting and described the things it showed.

George H. Craig, a justice of the peace who presided at the inquest was also a witness.

Mrs. Alma A. Wilson swore that she had heard Insley make threats against members of his family, stating that he had said he would "get" any member of the family who interfered with him in his selling of candy to his family. She also testified to his quarreling with members of his family.

A. H. Johnson, in whose employ Higgins was, testified that Higgins had been with him until late in the day, the shooting occurred.

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YOUNG MENS CLUB TO BE FORMED IN THIS CITY

Organization Looking Toward Formation of Y. M. C. A. to Have Membership Between 16 and 20 Years.

A number of young men in the city are making plans to formulate a "Young Men's Club" to be open to membership to unusual young fellows between the ages of sixteen and twenty. It is contemplated to include in the rules of the organization a membership perhaps sixty, and to secure a club room, where a genuine good time could be had on any dull evening, or between times during the day. The ultimate object of the club is to form a Y. M. C. A., when sufficient interest can be aroused in its activities.

Chester Heber, Charles Clarke and Dick Brennan are among those who have considered the matter in an informal way. They are now engaged in getting an expression from among their acquaintances of the details which would be desirable in the management of the affairs of the organization. It is thought that a pool table, and reading room would be a desirable feature, and that an occasional dance would carry on the purposes of the club. An organization meeting will be held at the earliest opportunity. In the meantime, those interested in an enterprise of this kind, are requested to communicate with "E. K. care the Herald," and their suggestions will be given prompt attention by those who are interested in making the club a success.

NEW TAILORED HATS AT FERGUSON'S

The discriminating women of Albuquerque, those who can recognize good style in millinery when they see it, will be interested in a shipment of new tailored numbers received today at Ferguson's millinery. This shipment says the very best work in tailoring, and the prices range moderately from \$5 to \$7.50. An attractive new assortment of dress shapes is also on display at Ferguson's.

COURT NOTES

In the probate court this morning, the estate of James Englehart came in for considerable attention. A petition was presented by James P. Brown, asking to be appointed administrator of the estate and a similar petition from Mark Englehart, asking that Frank McKee be appointed was also presented. Brown moved to strike from the records the latter petition, and certain promissory notes of Englehart's showing him to have been a debtor of Brown's were introduced as evidence. After several witnesses had been heard, the court granted the petition of Mark Englehart, and bond was set at \$10,000. An appeal was taken and the appeal bond of \$50 was filed by Brown.

The final report of Tomas Griego, administrator of the estate of Filomena Griego was presented, and the court fixed the first Monday in February as the date for the hearing of the same.

Marriage licenses were issued today to Carolina Apodaca, aged 15 and Jacobo Lucero, aged 32, both of Tanchos de Albuquerque; to Josefa Garcia and Salvador Caruel of San Antonio, and to Albert M. Jones and Blanche Hoffman.

MORTUARY.

David Blaine Thomas, a well known watchmaker of this city and El Paso, and was beloved of many friends. Admiration and respect were accorded him on every hand because of the gallant fight he made for life and health, as well as for his many estimable qualities.

Beside his wife and son, Mr. Thomas leaves two sisters in this city, Mrs. E. L. Medler and Mrs. C. T. French; a brother in Columbus and one in Galapoulos, Ohio, the family home, and two sisters in Galapoulos and one in Columbus.

Pending advices from the relatives in the east, the body will be held here.

PERSONALS.

Loren Miller, son of a former secretary of New Mexico, was recently married and appointed manager of the Home Clothing company in Springfield, Missouri. Since visiting here last spring, Mr. Miller has been in Los Angeles and San Francisco.

A hunting party composed of Messrs. Joseph Barnell, W. L. Trimble, Fred Fisher and Green, returned this morning from a trip east of Socorro.

Alvin N. White, Democratic candidate for superintendent of public instruction, is in the city today from his home at Silver City.

The New State Coal Co. for clean hand screened coal. Telephone 35.

AEROPLANES PLAY A STRONG PART IN SCOUTING OF ITALIANS

American Officers on Chester Arrive at Marseilles and Give Graphic Description of Tripoli Fighting.

BIRD MEN SOLDIERS DOING GOOD WORK

Marseilles, France, Nov. 13.—Officers of the American cruiser, Chester, which arrived from Tripoli Saturday, are unanimous in the opinion that foreigners are in no danger there. Commander Decker will forward an official report on the situation to Washington.

Officers of the Chester say that during their stay at Tripoli the Turkish batteries located east of the city were disarming an ineffective fire against the Italian warships in the roadstead. The officers think the Italians control the situation in Tripoli and are advancing slowly into the interior. The chaotic situation in the city is bad, but apparently the epidemic is not serious among the Italian forces. The general impression of the Italian aviation service was that it was very effective in facilitating the advance of the Italians. From the Chester the aeroplanes could be seen maneuvering above the forts in the harbor and over the noses, the trees of which concealed Arabs and Turks.

EIGHTEEN BANDITS HELD AT BAY BY MAN AND WIFE

Like Shilling Shocker Is Story of Actual Adventure of Ibarra and Wife in Old Mexico.

Valadero, Mex., Nov. 13.—The story of how Francisco Ibarra and his wife repulsed the attack which eighteen bandits made on the Ibarra store today might have come from a "shilling shocker" instead of the real life. The bandits were attracted by the guns and ammunition in Ibarra's stock as well as the silver bullion he was reported to have on hand.

The storekeeper had warning of their approach, and barricaded the doors of the strongly built adobe shop. He telephoned to this city for rurales, but the bandits made their attack before the rurales were scarcely more than started.

Ibarra and Senora Ibarra, both familiar with the use of firearms, crouched behind the small, barred windows of the shop and poured a deadly fire on their attackers. When the latter fled they left one dead and three wounded on the field.

CATTLE RAISERS OF MIDDLE WEST ARE MUCH ALARMED

Reported That National Bureau of Animal Industry Is to Withdraw from State of Texas.

Kansas City, Mo., Nov. 13.—Cattle raisers of Missouri, Kansas and Nebraska are much worried over a report which has gained much credence, that the National Bureau of Animal Industry is about to withdraw its activities from Texas, due to the lack in that state of efforts to eradicate ticks and scabies. The step would mean that the work of years and the expenditure of hundreds of thousands of dollars would go for naught.

At the Kansas City stock yards there is a special department where all "quarantine" cattle must be marked. They are sold as "canners" mostly, their value being much lower than that of clean cattle. An interstate association of livestock sanitary commissions was formed two years ago to remedy the Texas situation but the Texas commission refused to accept outside aid. The association will meet December 2 in Chicago to consider any new means that may be adopted.

Should the bureau withdraw from Texas and the quarantine be abolished, millions of yearling cattle, now brought from Texas ranges and fattened for slaughter on the northern farms, would not be available.

MRS. BOOTH TARRINGTON SECURES A DIVORCE

Indianapolis, Ind., Nov. 13.—A decree of absolute divorce today was granted in the superior court of this county to Mrs. Louisa Fletcher Tarrington, wife of Booth Tarrington, the novelist and playwright. Mrs. Tarrington had not cited for alimony.

TRIPLE MURDER IS DISCOVERED IN NEW YORK

Police Unearth a Crime That Throws Shadow on Father; Mother, Daughter and a Child Are Killed.

New York, Nov. 13.—A triple murder was committed today in Brooklyn. Two women, mother and daughter, and the child of one of them were found dead in a dwelling on Park avenue. The father of the child is being searched for by the police.

UNITED STATES

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number to the strength of the arguments. The stuffed ballot box, the false count and the perjured election returns will likewise disappear. With these opportunities, with these stimulating inducements to free thought and action, the cause of public justice will be advanced in all directions, acting from the point of enlightened self interest, and yet with a full sense of responsibility respecting the just rights of all others in society, will manfully and patriotically meet its enlarged responsibilities.

The existing system of the United States is a system of cut and dried platforms and stated nominations, preceded by fake primaries, the ballot in our hands has not been in any adequate sense, either a protecting shield against wrong or a means of redress. We may not for some time be entirely rid of the rule of parties. If they are an evil, they are such as are incident to all governments based on popular suffrage. I deem it unwise, or rather impolitic, to waste our energies now in efforts to abolish political parties. But if we can not now destroy them, we may, by more assiduous and regular exercise of our privileges and rights of citizenship do much in the way of controlling them.

Under existing conditions, we must obtain various measures of legislation at the hands of dominant parties in legislative bodies, and if party affairs are to remain in the hands of corporations and corrupt bosses as heretofore, then our interests will be imperiled and the desired relief retarded, no matter which party has the majority.

Mr. Gompers refers very briefly to the contempt of court proceedings against Vice-President John Mitchell, Secretary Morrison and himself, which are still pending the courts in the District of Columbia.

The McNamara case, however, is taken up at some length and fully reviewed. President Gompers expressed his faith in the innocence of the men now on trial at Los Angeles for alleged dynamiting outrages and denounces in unmeasured terms their removal from Indiana to California.

The Wilson bill, now pending in congress, a so-called anti-injunction measure, which has the support of labor, is warmly endorsed and President Gompers called upon all organized labor to work for its early passage. Mr. Gompers expressed the belief that by united action the Wilson bill may be passed at the next session, and he expresses the opinion that even should it be vetoed by President Taft, a great victory would be partly won. He declared labor could expect little voluntary help from the president on the anti-injunction legislation.

The subject of immigration, much of the report is addressed to several plans are proposed for bringing migratory laborers into the ranks of organized labor. Further restriction of immigration is deemed necessary and schemes of distribution of immigrants are discussed.

"Turn which way we may, the fact invariably confronts us, in our endeavor to ameliorate the lot of the laborers now in America, that there must be a restriction of immigration. Restriction, as recommended by the United States Immigration commission, is, if not the first step toward organizing migratory laborers, at least an essential step. There are sufficient workers on the Pacific coast at the present time, were their shifting about intelligently systematized, to perform all the pressing work there throughout all the seasons of the year. The main trouble has been that the employers have not paid any adequate attention to the laborer as a social entity, except at the moment when one is to be hired. Society has not concerned itself seriously about the casual worker.

"The early completion of the Panama canal, however, will, without doubt bring about a total change in the labor situation of the Pacific coast, both internally and with relation to other countries. It has already been calculated that immigrants from Europe may be landed via the Panama canal at Pacific coast seaports for a less sum than is required to pay the passage to inland points in states of the middle west. It is to be remembered that the enormous fleet of foreign vessels which are in the immigration trade are seeking business the world over. In a single year aided by the climate, the present trans-Atlantic fleet could carry 500,000 wage workers from the southeast of Europe to the Pacific coast ports, while also transporting the average yearly number to the Atlantic coast ports. This is a more than probable forthcoming condition to be faced by our fellow trade unionists of Washington, Oregon and California."

In the federation's fight for employers' liability and workmen's compensation laws, progressive legislation is reported from the states of Massachusetts, New Jersey, New Hampshire, New York, Ohio, California.

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The Markets

STOCKS LAGGING ON WALL STREET

Interest in List Today Was Lost and Trading Opened With a Heavy Tone Due to London.

New York, Nov. 13.—Interest in stocks lagged today. With prices generally lower in London, trading began with a heavy tone, owing to a continuation of profit taking and lack of outside demand. The course of the market encouraged bear leaders to renew their operations and they were able to bring about some reductions.

Prices advanced a bit but the chief gains were limited to a handful of stocks, such as the coalers and the Mill group. Other stocks improved in more sedate fashion and seemed to offer less resistance to the intermittent profit taking and bear selling. The high valley established a new high level for the present movement, touching 131 1/4. Trading showed an improvement of about two points over last week's closing, and Consolidated Gas, three Duffs were irregular. Bull manipulation was suspended for a while and when profits were sought the whole lot broke sharply. Lehigh Valley relinquished all but a small fraction of its forenoon advance; Reading dropped back to a 1/2 point under Saturday's close; United States Steel a point and United Pacific and Southern Pacific, 1 1/2. A few inactive stocks were lifted materially before the market weakened. United States Rubber rose 1 1/2; National Biscuit, 2 1/4 and Pittsburgh Coal preferred, three.

Speculation became very quiet on a fractional rally from the lowest. The recovery brought most of the list to a trifle above Saturday's close. The close was weak.

Chicago Livestock.
Chicago, Ill., Nov. 13.—Cattle receipts, 25,000; market strong to 100 up. Beefsteaks, \$4.65@5.25; Texas steers, \$4.00@5.50; western steers, \$4.35@5.75; stockers and feeders, \$2.50@5.75; cows and heifers, \$2.00@5.25; calves, \$5.50@6.25.

Hogs—Receipts, 9,000; market 5c to 10c up. Light, \$5.50@6.50; mixed, \$5.00@6.00; heavy, \$5.00@6.50; rough, \$4.00@6.25; good to choice heavy, \$6.25@6.55; pigs, \$3.25@3.40; bulk of sales, \$4.25@6.55.

Sheep—Receipts, 55,000; market generally 10c higher. Wethers, \$3.50@4.00; yearlings, \$2.50@3.50; lambs, native, \$2.75@3.25; western, \$2.75@3.25.

Kansas City Livestock.
Kansas City, Mo., Nov. 13.—Cattle receipts, 14,000, including 1,000 southern; market steady to 10c higher. Native steers, \$5.25@5.50; southern steers, \$4.75@5.25; southern cows and heifers, \$2.75@3.50; native cows and heifers, \$2.50@3.50; calves, \$4.50@5.75; western cows, \$2.75@3.50.

Hogs—Receipts, 1,000; market 5c to 10c higher. Bulk of sales, \$5.50@6.55; heavy, \$5.50@6.55; packers and butchers, \$5.50@6.55; lights, \$5.50@6.55; pigs, \$4.25@6.55.

Sheep receipts, 10,000; market 10c higher. Mediums, \$3.00@4.00; Jambs, \$4.00@5.00; range heifers and yearlings, \$2.50@4.75; range cows, \$2.50@3.75.

New York Sugar.
New York, Nov. 13.—All grades of refined sugar were quoted 10c a hundred pounds today.

Chicago Grain.
Chicago, Nov. 13.—Lighter world shipments than expected, just fresh

DOOMED MAN MUST DIE, SAYS COURT
The Supreme Court Denies Petition to Save New York Young Hebble Sentenced for Slaying His Wife.

Richmond, Va., Nov. 13.—The supreme court of appeals today opposed the petition for a writ of error by Henry Clay Hebble, Jr., convicted of murdering his young wife last July.

This decision on the appeal from the judgment of the Chesterfield court which sentenced him to die in the electric chair November 23, in final. Clemency or reprieve by Governor Mann only can save the condemned man.

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